

Exhibit 1

From: [Mainigi, Enu](#)
To: [Cardinal WV](#)
Subject: FW: Plaintiffs' proposal on remands
Date: Monday, November 11, 2019 9:35:41 PM

Enu Mainigi

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From: Rice, Joe <jrice@motleyrice.com>
Sent: Monday, November 11, 2019 9:06 PM
To: Mainigi, Enu <EMainigi@wc.com>
Subject: Fwd: Plaintiffs' proposal on remands

FYI info. Let me know if you want to discuss Tuesday

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Begin forwarded message:

From: "Singer, Linda" <lsinger@motleyrice.com>
Date: November 11, 2019 at 3:00:07 PM EST
To: "edelinsky@zuckerman.com" <edelinsky@zuckerman.com>
Cc: "Rice, Joe" <jrice@motleyrice.com>
Subject: Plaintiffs' proposal on remands

Hey, Eric:

Joe asked that I follow up with you with Plaintiffs' position on remands and trial track cases. Plaintiffs continue to believe that the trial track cases that were proposed offer a reasonable path for proceeding, though we are willing to compromise with respect to the timing of remands of certain cases.

CT1B: pharmacy defendants named in proposed amended complaint by Summit and Cuyahoga Counties. Case, of course, remains before Judge Polster.

CT1C: Cleveland/Akron case against big 3 distributors proceeds before Judge Polster

CT2: case against big 3 distributors severed and immediately remanded to WV Court.

Judge Polster continues to oversee discovery against other defendants, including pharmacy defendants, in tandem with CT1B, which avoids competing demands on the pharmacy defendants, per your submission.

CT3: Chicago manufacturer cases remanded after limited amendments and common issues and discovery complete. That would consist of: (1) SOMs allegations to be added and already adjudicated by Judge Polster in CT1; (2) personal jurisdiction MTD vs. Mallinckrodt plc and Teva, Inc., per amended allegations—also issues previously decided by Judge Polster; (3) decision on consumer fraud ordinances and cost recovery ordinance currently pending before Judge Polster against original defendants and Mallinckrodt (likewise, misrepresentation claims already initially adjudicated by Judge Polster). Discovery could be overseen by NDIL Magistrate Judge Kim.

CT4: San Francisco: all defendants, immediately remanded

CT5: tribal case (Cherokee Nation): all defendants, immediately remanded

Please let us know if you'd like to discuss or whether Defendants are prepared to agree to any or all of this proposal.

Best,
Linda

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